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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/604,391	07/17/2003	Shu-Ya Chiang	112.P14037	1390
43831 7590 07/12/2007 BERKELEY LAW & TECHNOLOGY GROUP, LLP 17933 NW Evergreen Parkway, Suite 250 BEAVERTON, OR 97006			EXAMINER SEVERSON, JEREMY R	
			ART UNIT 3653	PAPER NUMBER
			MAIL DATE 07/12/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/604,391	<b>Applicant(s)</b> CHIANG, SHU-YA	
	<b>Examiner</b> Jeremy R. Severson	<b>Art Unit</b> 3653	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 January 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3, 5, 6 and 8-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5, 6 and 8-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 March 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 5, 6, 8-14, 16 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi (JP 58152737) in view of Sting (US 2002/0124536).

In regard to claim 1, Takahashi discloses a transmission mechanism, comprising:

one or more drive rollers (3);

one or more belts (11), wherein the one or more belts are capable of tightening around the one or more drive rollers (3), and wherein the one or more drive rollers are capable of driving the belt;

an idle roller (13);

an elastic member (18), wherein the elastic member is capable of causing the idle roller to exert a force on the belt to maintain tightness in the belt during feeding of the documents (see Fig. 2); and

wherein the idle roller and belt are located so as to receive the document via a feed-in path (1) and to transmit the document via a feed-out path and wherein the idle

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roller and belt are located so as to receive the document between the idle roller and the belt (see Fig. 2).

Takahashi does not explicitly disclose that the elastic member comprises a structure manufactured together with the body by injection molding. Sting discloses an elastic member 32 to bias a roller, wherein the elastic member 32 comprises a structure manufactured together with the body by injection molding. See Sting, par. 35. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the elastic member of Sting, that comprises a structure manufactured together with the body by injection molding, in the apparatus of Takahashi, in order to reduce manufacturing costs.

In regard to claim 5, see translated abstract which discloses a motor.

In regard to claim 6, see Fig. 2, #18.

In regard to claim 8, Sting discloses plastic elastic members. See Sting, par. 35.

In regard to claims 9-14, 16 and 21, see Fig. 2.

Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi in view of Sting and Ota (JP 63092542).

In regard to claims 2 and 3, Takahashi does not disclose three drive rollers nor a triangular formation for the drive rollers. However, this appears to be merely a matter of design choice and modifying Takahashi to have three drive rollers instead of two or

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having a triangular formation, as taught by Ota, would have been obvious to one of ordinary skill in the art.

Claims 15 and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi in view of Sting and Tanno (US 6,309,064).

In regard to claims 15 and 17, Takahashi does not specifically disclose trays located outside the body. However, having feed-in and feed-out rollers inside the body and trays outside the body is well known in the art. Tanno discloses feed-in (12) and feed-out (44) rollers inside the body and trays (11 and 44) outside the body (see Fig. 2) and modifying the apparatus of Takahashi as modified by Sting to include feed-in and feed-out rollers inside the body and trays outside the body, as taught by Tanno, would have been obvious to one of ordinary skill in the art.

In regard to claims 18 and 19, see Tanno Fig. 2.

### ***Response to Arguments***

Applicant's arguments, filed 30 April 2007, with respect to the rejections of the claims under Chang (US 5,324,019) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Sting.

**Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeremy R. Severson whose telephone number is (571) 272-2209. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Mackey, can be reached on 571-272-6916. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jeremy R Severson  
Examiner  
Art Unit 3653

jrs

  
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